

## REMARKS/ARGUMENTS

### *Brief Summary of Status*

Claims 1-29 and 68-83 are pending in the application.

Claims 30-67 are canceled.

Claims 1-29 and 68-83 are rejected.

### **35 U.S.C. § 112**

In the above-referenced office action, the Examiner asserts the following:

“4. Claim 9 recites the limitation “the fourth signal having the fourth signal type thereby generating the fifth signal having the fifth signal type” in claim 9 lines 14-16. There is insufficient antecedent basis for this limitation in the claim.” (office action, Part of Paper No./Mail Date 20090202, p. 2)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims.

As such, the Applicant respectfully requests that the Examiner withdraw these rejections.

### **35 U.S.C. § 103**

In the above-referenced office action, the Examiner asserts the following:

“6. Claims 1, 4-5, 10, 11 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908.” (office action, Part of Paper No./Mail Date 20090202, p. 3)

The Applicant respectfully traverses.

The Applicant respectfully points out that Schaffner fails to teach and disclose the structure and connectivity of the Applicant’s transcoder functional block that includes a satellite receiver that is operative to decode the first signal having the first signal type; a modulator, connected to an output of the satellite receiver, that is operative to modulate decoded output from the satellite receiver; and a DAC (Digital to Analog Converter), connected to an output of the modulator, that is operative to transform the second signal having the second signal type from a digital signal into an analog signal.

The Applicant respectfully asserts that independent claims 1 and 68 are allowable over Schaffner.

With respect to subject matter related to a modulator and DAC, the Examiner refers to Kummer. The Examiner points to the supposed “modulator 1” in Kummer’s FIG. 1 (see page 8 of the office action).

Kummer does not teach and disclose any “modulator 1” therein.

However, Kummer teaches and discloses a “tuner and demodulator 1” therein (emphasis added). Kummer’s “tuner and demodulator 1” is not coupled to Kummer’s “video decompressor 5” or to Kummer’s “video DAC 7”.

Therefore, Kummer not only fails to teach and disclose a modulator in accordance with the subject matter as claimed by the Applicant, but the Examiner-identified Kummer’s “tuner and demodulator 1” is not structurally connected in a manner similar to that claimed by the Applicant, and Kummer’s “tuner and demodulator 1” is also not operative in accordance with the modulator related subject matter as claimed by the Applicant.

Moreover, demodulation is not the same operation or process as modulation as known in the art to which the invention pertains.

In addition, the “video decompressor 5”, that the Examiner also identifies in Kummer, is the device that actually performs decoding in Kummer’s FIG. 1.

Kummer teaches and discloses:

“The video signal is then sent to the video decompressor 5 where the data is decompressed, decoded, ....” (Kummer, col. 3, lines 16-18, emphasis added)

“After decompression the digital signals are converted to analog baseband signals in the audio DAC (digital Analog Converter) 8 and the video DAC 9.” (Kummer, col. 2, lines 49-51, emphasis added)

The Applicant respectfully asserts that one having skill in the art would understand the operation of Kummer’s “tuner and demodulator 1” performed demodulation and decoding (i.e., does NOT perform modulation). Also, the Applicant respectfully asserts that one having skill in the art would understand the operation of a demodulator is separate and distinct from that of a modulator (i.e., may be viewed as

being an opposite or reverse type process when compared to the operation of a modulator).

Also note that Kummer's "video decompressor 5" is directly coupled to "video DAC 7" depicted in FIG. 1 (i.e., "digital signals are converted to analog baseband signals in the audio DAC (digital Analog Converter) 8 and the video DAC 9" as cited above). As such, it would appear that Kummer's "video DAC 7" depicted in FIG. 1 operates on the decoded output from Kummer's "video decompressor 5".

Moreover, the Applicant respectfully points out that Kummer teaches and discloses a segregated audio and video signal path system in which the signal received by the DBS SATELLITE RECEIVER device of FIG. 1 is partitioned into 2 separate and distinct paths for processing the audio and video components thereof.

In other words, a received signal undergoes demodulation by Kummer's "tuner and demodulator 1", but then this signal gets partitioned into 2 separate and distinct paths: one for audio processing and the other for video processing. As such, Kummer's "video decompressor 5" and "video DAC 7" only operate on a sub-set or portion of the original signal that is received by Kummer's "tuner and demodulator 1" (i.e., which receives the signal received by the DBS SATELLITE RECEIVER device of FIG. 1).

The Applicant respectfully asserts that it would not be appropriate to combine Kummer, that teaches and discloses employing 2 separate and distinct paths (one for audio processing and the other for video processing), derived from the originally received signal that is received/processed by Kummer's "tuner and demodulator 1".

The Applicant respectfully asserts that Schaffner fails to teach and disclose the subject matter as claimed by the Applicant in independent claims 1 and 68.

In view of at least these comments made above, and for other reasons, the Applicant respectfully believes that these independent claims rejected above are patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

In the above-referenced office action, the Examiner asserts the following:

“13. Claims 2, 16, 17, 22, 69, 70, 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 further in view Tilford et al. US 5,915,020.” (office action, Part of Paper No./Mail Date 20090202, p. 4)

The Applicant respectfully traverses.

The Applicant respectfully points out that Schaffner fails to teach and disclose the structure and connectivity of the Applicant’s transcoder functional block that includes a satellite receiver that is operative to decode the first signal having the first signal type; a modulator, connected to an output of the satellite receiver, that is operative to modulate decoded output from the satellite receiver; and a DAC (Digital to Analog Converter), connected to an output of the modulator, that is operative to transform the second signal having the second signal type from a digital signal into an analog signal.

The Applicant respectfully asserts that independent claims 16 and 76 are allowable over Schaffner.

The Applicant respectfully asserts that the inclusion of Mogre and further in view Tilford fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that independent claims 16 and 76 are allowable over Schaffner in view of Mogre and further in view Tilford.

In view of at least these comments made above, and for other reasons, the Applicant respectfully believes that these independent claims rejected above are patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

In the above-referenced office action, the Examiner asserts the following:

“21. Claims 3, 23, 24, 29, 71, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Eroz et al. US 6,829,308 B2 further in view Santoru US 6,975,837 B1.” (office action, Part of Paper No./Mail Date 20090202, p. 6)

The Applicant respectfully traverses.

The Applicant respectfully points out that Schaffner fails to teach and disclose the structure and connectivity of the Applicant’s transcoder functional block that includes a satellite receiver that is operative to decode the first signal having the first signal type; a modulator, connected to an output of the satellite receiver, that is operative to modulate decoded output from the satellite receiver; and a DAC (Digital to Analog Converter), connected to an output of the modulator, that is operative to transform the second signal having the second signal type from a digital signal into an analog signal.

The Applicant respectfully asserts that independent claims 23 and 80 are allowable over Schaffner.

The Applicant respectfully asserts that the inclusion of Mogre in view of Eroz and further in view Santoru fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that independent claims 23 and 80 are allowable over Schaffner in view of Mogre in view of Eroz and further in view Santoru.

In view of at least these comments made above, and for other reasons, the Applicant respectfully believes that these independent claims rejected above are patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

In the above-referenced office action, the Examiner asserts the following:

“29. Claims 6 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 8)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claims 1 and 68 are allowable over Schaffner.

The Applicant respectfully asserts that independent claims 1 and 68 are allowable over Schaffner in view of Kummer.

The Applicant respectfully believes that the inclusion of Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Kummer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

In the above-referenced office action, the Examiner asserts the following:

“32. Claims 7, 8, and 74-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Block et al. US 5,774,497 in view of Bertram et al. US 6,996,098 B2 further in view of Kummer US 6,151,479.”  
(office action, Part of Paper No./Mail Date 20090202, p. 9)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claims 1 and 68 are allowable over Schaffner.

The Applicant respectfully asserts that independent claims 1 and 68 are allowable over Schaffner in view of Block in view of Bertram and further in view of Kummer.

The Applicant respectfully believes that the inclusion of Block, Bertram, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Block, Bertram, Kummer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

In the above-referenced office action, the Examiner asserts the following:

“37. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Bellwood et al. US 6,401,132 B1.” (office action, Part of Paper No./Mail Date 20090202, p. 11)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner in view of Bellwood.

The Applicant respectfully believes that the inclusion of Bellwood fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Bellwood, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“39. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Tomasz et al. US 6,031,878 further in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 12)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner in view of Mogre in view of Tomasz and further in view of Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Tomasz, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Tomasz, Kummer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“41. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Tomasz et al. US 6,031,878 in view of Kummer US 6,151,479 further in view of Gurantz et al. US 7,130,576 B1.” (office action, Part of Paper No./Mail Date 20090202, p. 15)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner.

The Applicant respectfully asserts that independent claim 1 is allowable over Schaffner in view of Mogre in view of Tomasz in view of Kummer and further in view of Gurantz.

The Applicant respectfully believes that the inclusion of Mogre, Tomasz, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Tomasz, Kummer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

In the above-referenced office action, the Examiner asserts the following:

“45. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 further in view Tilford et al. US 5,915,020 in view of Tomasz et al. US 6,031,878 further in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 16)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 16 is allowable over Schaffner in view of Mogre and further in view Tilford.

The Applicant respectfully asserts that independent claim 16 is allowable over Schaffner in view of Mogre and in view Tilford in view of Tomasz and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Tilford, Tomasz, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Tilford, Tomasz, Kummer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in this claim.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“47. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 further in view Tilford et al. US 5,915,020 in view of Tomasz et al. US 6,031,878 in view of Kummer US 6,151,479 further in view of Gurantz et al. US 7,130,576 B1.” (office action, Part of Paper No./Mail Date 20090202, p. 18)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 16 is allowable over Schaffner in view of Mogre and further in view Tilford.

The Applicant respectfully asserts that independent claim 16 is allowable over Schaffner in view of Mogre and in view Tilford in view of Tomasz and in view Kummer and further in view Gurantz.

The Applicant respectfully believes that the inclusion of Mogre, Tilford, Tomasz, Kummer, Gurantz fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Tilford, Tomasz, Kummer, Gurantz when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in an allowable independent claim, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

In the above-referenced office action, the Examiner asserts the following:

“51. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Eroz et al. US 6,829,308 B2 in view Santoru US 6,975,837 B1 in view of Tomasz et al. US 6,031,878 further in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 20)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 23 is allowable over Schaffner in view of Mogre in view of Eroz and further in view Santoru.

The Applicant respectfully asserts that independent claim 23 is allowable over Schaffner in view of Mogre in view of Eroz and in view Santoru in view Tomasz and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Eroz, Santoru, Tomasz, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Eroz, Santoru, Tomasz, Kummer when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in this claim.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“53. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Eroz et al. US 6,829,308 B2 in view Santoru US 6,975,837 B1 in view of Tomasz et al. US 6,031,878 in view of Kummer US 6,151,479 further in view of Gurantz et al. US 7,130,576 B1.” (office action, Part of Paper No./Mail Date 20090202, p. 21-22)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 23 is allowable over Schaffner in view of Mogre in view of Eroz and further in view Santoru.

The Applicant respectfully asserts that independent claim 23 is allowable over Schaffner in view of Mogre in view of Eroz and in view Santoru in view Tomasz in view Kummer and further in view Guarantz.

The Applicant respectfully believes that the inclusion of Mogre, Eroz, Santoru, Tomasz, Kummer, Guarantz fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Eroz, Santoru, Tomasz, Kummer, Guarantz when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

In the above-referenced office action, the Examiner asserts the following:

“57. Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view Tilford et al. US 5,915,020 further in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 23)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 76 is allowable over Schaffner in view of Mogre and further in view Tilford.

The Applicant respectfully asserts that independent claim 76 is allowable over Schaffner in view of Mogre in view of Tilford and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Eroz, Santoru, Tomasz, Kummer, Guarantz fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Eroz, Santoru, Tomasz, Kummer, Guarantz when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in this claim.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“59. Claims 78-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view Tilford et al. US 5,915,020 in view of Block et al. US 5,774,497 in view of Bertram et al. US 6,996,098 B2 further in view of Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 24)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 76 is allowable over Schaffner in view of Mogre and further in view Tilford.

The Applicant respectfully asserts that independent claim 76 is allowable over Schaffner in view of Mogre in view of Tilford in view of Block in view of Bertram and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Tilford, Block, Bertram, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Mogre, Tilford, Block, Bertram, Kummer when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

In the above-referenced office action, the Examiner asserts the following:

“62. Claim 81 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Eroz et al. US 6,829,308 B2 further in view Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 26)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 80 is allowable over Schaffner in view of Mogre in view of Eroz and further in view Santoru.

The Applicant respectfully asserts that independent claim 80 is allowable over Schaffner in view of Mogre in view of Eroz and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Eroz, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Schaffner, Mogre, Eroz, Kummer when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in this claim.

The Applicant also respectfully believes that this dependent claim rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, is also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of this claim.

In the above-referenced office action, the Examiner asserts the following:

“64. Claims 82-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffner et al. US 6,104,908 in view of Mogre et al. US 6,987,543 B1 in view of Eroz et al. US 6,829,308 B2 in view of Block et al. US 5,774,497 in view of Bertram et al. US 6,996,098 B2 further in view Kummer US 6,151,479.” (office action, Part of Paper No./Mail Date 20090202, p. 27)

The Applicant respectfully traverses.

The Applicant respectfully asserts that independent claim 80 is allowable over Schaffner in view of Mogre in view of Eroz and further in view Santoru.

The Applicant respectfully asserts that independent claim 80 is allowable over Schaffner in view of Mogre in view of Eroz in view of Block in view of Bertram and further in view Kummer.

The Applicant respectfully believes that the inclusion of Mogre, Eroz, Block, Bertram, Kummer fails to overcome the deficiencies of Schaffner.

The Applicant respectfully asserts that Mogre, Eroz, Block, Bertram, Kummer when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

The Applicant also respectfully believes that these dependent claims rejected above, being a further limitation of the subject matter as claimed in an allowable independent claim, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

The Applicant respectfully believes that the pending claims are in condition for allowance and respectfully requests that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,  
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